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The Opinion

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9-1971

## William Mitchell Opinion – Volume 14, No. 1, September 1971

William Mitchell College of Law

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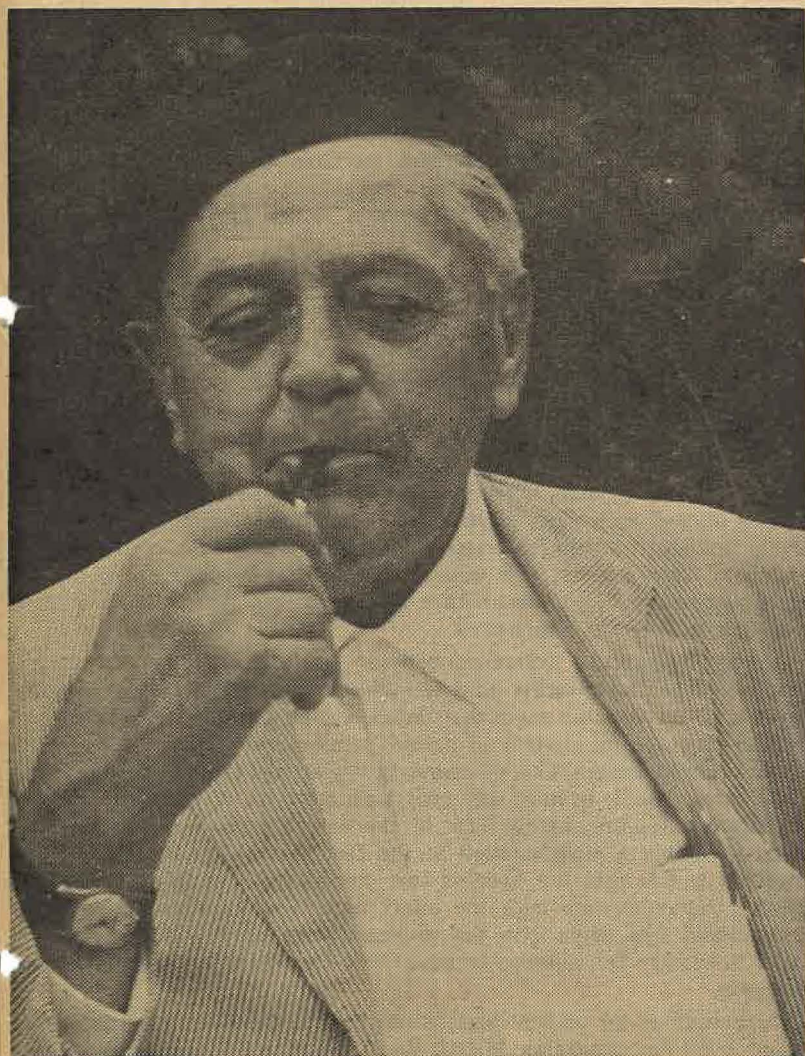


# William Mitchell OPINION

Volume 14

September, 1971

No. 1



DR. VAN DER BORGHT

## Professor Van der Borght Dies of Heart Attack

Dr. Raymond B. Van der Borght, who taught Comparative Law at William Mitchell for nine years, died of a heart attack on June 12, 1971, at the age of 71.

Dr. Van der Borght was born in Antwerp, Belgium and received his Juris Doctorate, as well as a Ph.D. in Philosophy, from the University of Louvain. He practiced law in Europe for 26 years before coming to the United States in 1951. Dr. Van der Borght and his family first settled on a farm in Orono, Minnesota, but in 1953 he returned to law practice of the law as a member of Minnesota Mining and Manufacturing's legal staff. At the time of his death, Dr. Van der Borght was an International Consultant for 3M. He was also associated with the Minneapolis law firm of Hagglund and Johnson.

As a respected authority on international and comparative law, Dr. Van der Borght had been a guest lecturer at the University of Geneva and the University of Leyden (in The Netherlands). He was also a Professor of International Law at Macalester College and he served as a U.S. Reporter at the Congress of the International Fiscal Association in 1962 and at

the Eighth International Congress of Comparative Law in 1970.

Dr. Van der Borght's course on comparative law was a popular elective among the juniors and seniors he taught. His lectures were noted for their spontaneity and Dr. Van der Borght was fond of illustrating comparative law concepts through anecdotes drawn from his past experience as a European lawyer.

Dr. Van der Borght will be missed by the faculty and students of William Mitchell who knew him to be a good friend and a competent teacher.

## Legislature Fails To Approve Bar Examination Bill

A bill to abolish the bar exam in Minnesota was introduced in the 1971 session of the legislature by Winston Borden (Liberal, Sen.) and Harry Seiban (Liberal, Rep.) who are both lawyers and have passed the bar exam. The bill passed through both judiciary committees of each house and was placed on the General Orders Calendars where the majority leaders failed to bring it up for a floor vote. It would have been effective for the 1972 law school graduates and if passed in the 1973 session, as Rep. Seiban predicts, the bar will be abolished for 1974 graduates who are now in their second year at William Mitchell. The bill provides no alternatives to the bar exam and if passed, Minnesota will become the ninth state without a bar exam requirement for practicing lawyers.

## Five New Instructors Join Mitchell Faculty

William Mitchell welcomes five new faculty members this year. Two of the new instructors will be full-time professors and this will be the first year in the history of the school that more than one instructor will be teaching the same course.

Maynard S. Pirsig, 69, comes to Mitchell after almost half a century of distinguished service in the field of legal education. He will be teaching Professional Responsibility and a section of the Criminal Law course.



PIRSIG

Pirsig received his L.L.B. from the University of Minnesota Law School in 1925 and a year later he was appointed as an instructor at the University Law School.

Pirsig became a full professor at the University in 1933 specializing in criminal law. He is the chief author of the 1963 Minnesota Criminal Code and he helped write the Youth Conservation Act which became law in 1947.

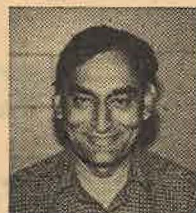
In 1942, Pirsig was appointed to serve as an associate justice on the Minnesota Supreme Court for three months.

Pirsig was dean of the University Law School from 1948 until 1955 when he decided to return to his position as a professor of law in order to meet the demands made upon him for research and writing.

Among other works he has authored Pirsig's *Dunell on Minnesota*

*Pleading, Legal Profession, Minnesota Pleading, Juvenile Court, Cases and Materials on Judicial Administration and Cases on Professional Responsibility.*

Noor Mohammad, 43, will also be joining the William Mitchell faculty as a full-time professor this year. He will be teaching Contracts, Income Tax and International Business Relations. Mohammad received his L.L.B. from the Banaras Hindu University Law School and practised law in India for five years before coming to Minnesota in 1960. He holds an L.L.M. from the University of Minnesota Law School and a J.S.D. from Yale University. Mohammad taught at the University of Saskatchewan, the University of Connecticut and the University of Wyoming before coming to Mitchell.



MOHAMMAD

George L. Fricker, 38, will be teaching Remedies to a sophomore section this year. He graduated from William Mitchell in 1962 after completing his undergraduate work at the University of Minnesota. Fricker worked for the



FRICKER

Department of Justice for two years after receiving his law degree. He is presently a partner with the law firm of Johnson and Sands in Minneapolis.

Wayne T. Dordell, 33, is a part-time instructor and will be teaching Torts to a section of freshmen. He graduated first in his class from Mitchell in 1963 and has been a grader of Minnesota Bar exams for the past five years. Dordell went into private practice after graduation and he is currently a partner in the firm of Hansen, Hazen, Dordell and Bradt in St. Paul.



DORDELL

Bruce H. Burton, 32, is also a part-time instructor and will be teaching a section of Property II this year. He graduated magna cum laude from the University of Minnesota Law School in 1968. Burton has been an instructor in the Appellate Advocacy course at the University of Minnesota Law School for two years. He is presently an associate with the firm of Dorsey, Marquart, Windhorst, West and Halladay.



BURTON

## Bad Trip

### Student Reps Disillusioned With LSD Experience

John Nichols and Steve Kluz, seniors, attended the annual American Bar Association convention held July 4th through the 7th in New York City. The two students acted in the capacity of student delegates representing William Mitchell at the Law Student Division convention which was held concurrently with the parent association convention.

Nichols and Kluz both reported that they returned from New York City somewhat disillusioned about the merits of the activities held during the convention as the majority of the events held during the three-day meeting consisted of election and nomination meetings, district caucus meetings, and general electioneering carried on by all candidates for Law Student Division offices. They further noted that little if any time was allocated to substantive discussion of problems of mutual interest to delegates from all schools. For example, little emphasis was placed on workshops or conferences which examined student activity successes or failures at a particular school or discussions on how to obtain

more student participation in school events.

The delegates concluded in their report to the Board of Governors that: (a) Underclassmen should be encouraged to become active in the affairs of the law student division by seeking out offices at the district and national level which can be used to effect change in the present system and (b) communication between the Law Student Division and William Mitchell should be re-established. As an adjunct to this, Mr. Nichols noted that the Law Student Division has a substantial amount of money which is available to law schools in order to help subsidize community action projects or other related activities. The Board of Governors will seek to obtain a portion of these funds during the 1971-72 school year. (c) Student delegates should not be sent to the next annual Law Student Division meeting in San Francisco until a thorough evaluation is made of the scheduled events so as to insure adequate discussion of student problems rather than relatively unimportant election matters.

## Survey Results

During the past year a survey was conducted by Dean Heidenreich in which the members of the last eleven graduating classes were sent questionnaires to elicit their opinion of William Mitchell as a law school.

William Mitchell met the expectations of 92% of those who returned the questionnaires. The quality of instruction was given a 97% positive response.

One fourth of the answering graduates indicated that their annual incomes are in excess of \$25,000 per year and one third placed themselves in the \$15,000 to \$25,000 per year bracket. One fourth are earning between \$10,000 and \$15,000 per year and the remainder of those responding earned less than \$10,000 per year. All of those in the under \$10,000 category were members of the two most recent graduating classes.

Two-thirds of the respondents are employed as private practitioners. The remainder are evenly distributed throughout the areas of corporate, governmental and non-legal employment. The survey results indicate, however, that a higher percentage of graduates are accepting corporate employment than in the past.

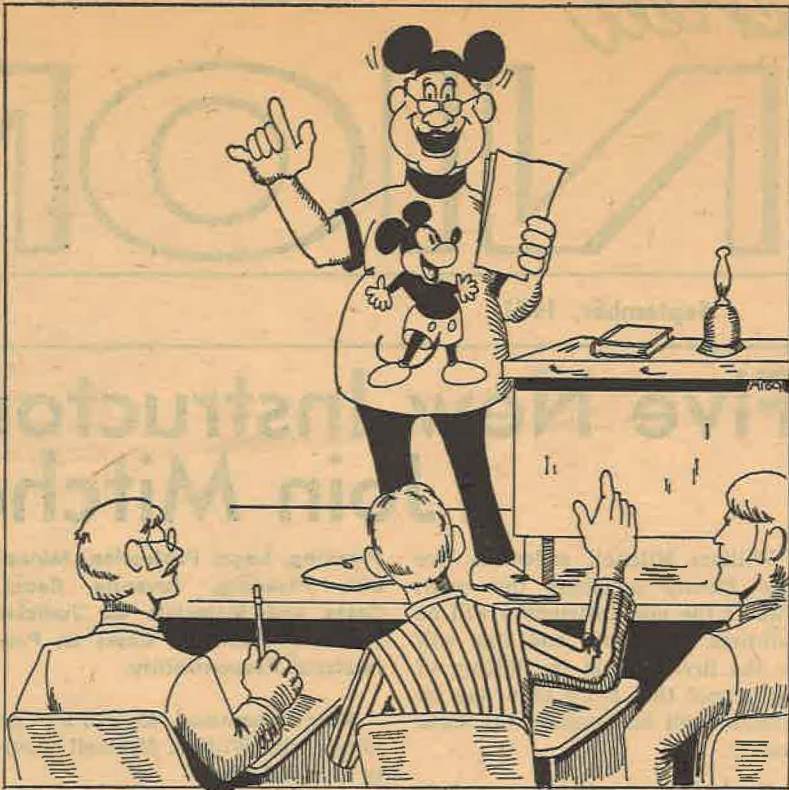
**All Students Are  
Invited To Get  
Acquainted At The  
Fall Smoker On  
Friday, Sept. 17, At  
The Twins Motor Lodge**



**William Mitchell  
Opinion**

**Editor:** John Decker  
**Associate Editors:** James Lawton, Joel Watne  
**Staff:** Norm Brody, John Nichols, Larry Schmidt, Kay Silverman, James Taurinskas.

Published By The Student Bar Association Of The William Mitchell College Of Law, 2100 Summit Ave., St. Paul, Minnesota 55105



**"All Right Students,  
Answer When I Call Your Name . . .  
Ralphie, Tommie, Herbie . . ."**

**Four Years Can Be A Long Time**

Students at William Mitchell have traditionally confined their extra-curricular activities to the ten minute bull-sessions between classes and to setting new records for stuffing bodies into the student lounge. This situation is unfortunate since school activities outside the normal curriculum provide students with the opportunity to acquire practical legal experience and at the same time ease the drudgery of law school. Such extra-curriculars as a legal advice clinic, speaker program, trial and appellate court competition, student government and the school newspaper offer the student an education that he will not receive in the classroom. And involvement in intramural sports, the law fraternities, dances and smokers will make four years of night law school much more palatable.

The past reluctance on the part of most students to participate in these activities was not the result of an apathetic student body but rather it was the consequence of the typical Mitchell student having a wife and family, as well as full-time employment, competing for his time. And it was the rare student who would or could make additional sacrifices at his home or job to become involved in the student government or school newspaper.

This situation has begun to change at Mitchell as a result of the deluge of applicants trying to get into law school. The majority of freshman and sophomores this year are students who have recently graduated from college and are not yet faced with the demands of raising a family and holding down a full-time job. Consequently, these individuals have the chance to participate in school activities which their older classmates have had to pass up. By taking advantage of this opportunity, the new Mitchell student will be able to look back at his four years of law school without shuddering — something this year's juniors and seniors may not be able to do. J.D.

**Legal Aid For The Police**

As was noted in Criminal Law class one night last year, one of the major reasons that the police find their cases being dismissed is that they had either inadequate advice or no advice themselves. Consequently, they are often unaware of and ignore legal requirements and perform their functions in ways which constitute a denial of due process.

Some cities have made attempts to rectify this situation by hiring counsel to work directly with the police to insure that they carry out their duties with a fuller understanding of their responsibilities and the requirements of due process. However, this normally takes the form of having a single attorney who cannot, as a practical matter, be available to all officers for immediate consultation at all hours of the day or night.

Perhaps an experimental program could be undertaken which would help to improve this situation, and also provide William Mitchell students with some practical experience with the day-to-day problems of law enforcement and criminal prosecution.

Such a program could operate during the summer when most students, free from studies for a few weeks, could hold part-time jobs in addition to their usual jobs. It may be possible to work out schedules whereby students could be available to work with the police during those hours when the department's attorney is off, and incidentally to be paid some reasonable compensation for their services.

If such a program could be arranged, it could pay dividends in improved law enforcement and in a better understanding of police procedures and practices, as well as criminal law and procedure for many students who will have occasion to practice criminal law in the future, either as prosecutors or defense attorneys.

At a time when it is proper to provide defendants with counsel to make sure that all of the defendant's rights are respected, it would seem reasonable to provide similar legal aid to the police, so that cases may be tried on their merits and the guilty not escape conviction by pleading the violation of due process by ignorant or inept police. J.W.

**Letters To The Editor**

**The Opinion invites the students, faculty and alumni of William Mitchell to submit their ideas on any subject which would be of current interest to the readers of this paper. Letters should be typewritten and addressed to the Opinion, c/o of the William Mitchell College of Law, or placed in the Opinion's mailbox in the office.**

**Students Burned  
By Tuition Thaw**

Although the Treasury Department has ruled that tuition increases do not come within the President's wage and price freeze, there is an intense feeling among the student body of William Mitchell that the \$100.00 increase in our tuition is in direct violation of the spirit of that proclamation. Consequently, the Opinion offers the following historical data on tuition rates at William Mitchell and its predecessor, the Saint Paul College of Law, in order to inflame the passions and prejudices of all those who feel that law students should be paid to attend school. These facts may be cited as sound authority in any future discussions of the inflationary cost of legal education with Dean Heidenreich. However, the Dean is known to be armed with his own facts, i.e., the higher cost of other private law schools, and should be considered dangerous to argue with.

School Year	Tuition
1900-1916	\$ 60.00
1917-1920	\$ 80.00
1921-1929	\$100.00
1930-1936	\$125.00
1937-1942	\$150.00
1943-1950	\$200.00
1951-1954	\$225.00
1955-1956	\$275.00
1957-1958	\$300.00
1959-1962	\$450.00
1963-1964	\$500.00
1965-1967	\$600.00
1968	\$700.00
1969-1970	\$850.00
1971-?	\$950.00

**The Dean's Column**

We have always assumed that for the most part our William Mitchell students were those who, because of family or other financial obligations, were compelled to work and were thus unable to attend a full-time day program. Therefore we have never considered ourselves to be in competition with day programs and we have been most comfortable with the fact that of the two law schools in the state one offered only a day program and one only an evening program.

Because of the enormous pressure on all law schools this year it is highly likely that a significant percentage of our entering class will consist of students who would be financially able to attend a day law school program but who have been unable to obtain admission elsewhere because of stringent admission standards. Indeed our own admission standards are such that we have found it necessary to turn away a substantial number of students who would otherwise be qualified. In trying to obtain an entering class of manageable size, composed of students with the best possible chance for success, we have been compelled to raise law school admission test and undergraduate record requirements to an all-time high. Many applicants who would be fine law students have not been able to enroll because of this.

Accordingly it might be well to remark about some of the differences between the more customary law school day program and the evening program offered at William Mitchell College of Law. Perhaps the most significant difference is the fact that the day program can be completed in three years while our evening program extends over four academic years. However the basic curriculum in both programs is normally about the same. The books used in the basic courses and the teaching techniques tend to be quite similar in all law schools. While it is true that in many large law schools with day programs a broad number of electives can be offered each year, electives in an evening program are comparatively limited in number because there are only a few hours available in which to offer courses; this means that additional electives simply become competitive with one another because at any given time a student may choose only one alternative.

Another significant difference between day and evening programs is that most evening students hold full-time jobs during the day and come to class in the evening somewhat fatigued from the day's efforts. Nevertheless the evening student is sincerely interested in and dedicated to his law school career. This of course is not always true of the first year class; what would, in most day programs, seem an alarming number of withdrawals (approximately 30% of the entering class during the first year) is simply a manifestation of the fact that a number of entering students decide that the benefits they hope to obtain from law school are not commensurate with the effort they must expend. The evening law student who stays with the program must be deeply dedicated in order to survive the rigorous schedule that a successful law school career demands.

Opportunities for clinical legal education are different in evening programs from day programs. Within the last few years many clinical education programs have developed throughout the country. Some of these are oriented strictly toward practice while others, generally geared toward "professional responsibility", emphasize work in social work agencies or other fields. The evening law student has always had the opportunity to hold a full-time job in a legal or quasi-legal field. While the day law student is sometimes given the opportunity to observe or even participate in the activities of some community agency or law office a few hours a week, many evening law students are employed full time as law clerks for judges, investigators or law clerks in law firms, probation officers, social workers, tax accountants and in a myriad of other positions. Therefore the evening student is often involved in a "clinical program" which provides his livelihood throughout his law school career.

While nearly every law school makes use of adjunct professors or part-time teachers, evening law schools tend to rely more heavily on part-time instructors. These are attorneys and judges who have made a great personal sacrifice because of a deep desire to teach, a great interest in a particular subject area and a sincere concern for the future of the legal profession. William Mitchell is no exception. While we have a substantial staff of permanent teachers, all of whom have experience in the practice of law, we rely very heavily on the dedicated and capable part-time faculty members who have always done so much for us. These men bring to the classroom not only experience but a feeling for the day-to-day problems of the practice of law.

The difference in experience between a day and an evening law school program is one of kind rather than degree. There are some people who do not function well in the evening who would succeed in a day program but simply do not take to a schedule which requires class attendance after dark. Others thrive on this kind of schedule and prefer it to one which would require attendance at morning classes. Each first year student who is with us on opening night in the fall of 1971 will have to decide whether he is cut out for an evening law school program. Some of the most capable may answer the question in the negative and leave before really giving themselves a chance to succeed. Others will struggle throughout the year but find themselves unable to succeed. About half will ultimately graduate, having learned the self-discipline, organizational ability and hard work that are essential for success. They will take their places along side their brothers and sisters from day programs well prepared for the realities of life in the practice of law.

**Staff Writers Wanted**

In an attempt to break all records, the Opinion is scheduled to be published four times this year. To achieve this goal, the Opinion needs the help of those students who have an interest in writing and the extra time in which to do it. If you have the desire to join the illustrious and exclusive literary guild of Opinion writers, place your name and telephone number in the Opinion mailbox located in the office.



**Bruce Armstrong . . .**

# From The Student Bar Association President's Chair

The Student Bar Association of the college is a relatively young organization. It was formed about four years ago to "develop and further scholastic attainment; to promote understanding among the faculty, students and alumni; to coordinate the activities of the Law School community; to further professional and social interests; to cooperate with national, state, and local bar associations and with other law schools through the American Law Student Association; and in recognition that the unifications of the students of the law school into an effective group is necessary to these ends. . . ." (from the Preamble to the Constitution of the Student Bar Association of the William Mitchell College of Law). Although there have been some good and some lean years, the Association is functioning quite effectively in pursuit of its goals.

The Association is active in the national activities of the Law Student Division of the American Bar Association. Two members of the Board of Governors were sent to New York to represent the school at the national convention this past summer. Some of the ideas and innovations that they brought back with them will be put to use this fall. While the national activities are important, and can't be slighted, the Association's main goal as a student body organization is to help you, the student, in any way it can.

This "help" is many-faceted. There is some activity on the social level. The Association will be sponsoring the FALL SMOKER on September 17, 1971, at the Twins Motor Lodge. Here is an excellent chance for you to meet your professors and fellow students. Plan now to attend on Friday the 17th. If there is enough interest, we may co-sponsor some future activities

with the law wives organization.

The main concern of the school's Association, however, is within the school itself. We would like, this year, to promote a public speaker program. At the present time, we are also considering some kind of a community action project which would benefit the school, the students, and the twin city area as well. It is also present to serve as a liaison between the administration and the student: to transmit and take action on your complaints and compliments; your own ideas and innovations.

The greatest problem that our Association has to face is communication. As the school year progresses, the members of the Board of Governors become deeply involved in the study and work that is necessary in this school. Extra activities, even those of the Association, are sacrificed to the attainment of other goals. This is where the Governors must look to the student body to find the discipline necessary to carry on. Seek out your representative and make your views known to him. Apathy on the part of the student will breed inaction just as surely as positive action will bring innovation and desirable change. You, the students have elected fine men to represent you. Don't let them get by with giving you only half service.

While the Student Bar Association has set its primary goal as being helpful to the students, there is one type of help it cannot offer. When the finals have all been taken, and the last professor has at last gotten the grades in, there will appear the answer to the question you asked when you entered this school. That is the final analysis and all else is done in the shadow of its results. Sto study hard, and have a very good year.



New Student Bar Association Officers are (L. to R.): Joel Watne — Treasurer; Steven Kluz — Secretary; John Nichols — Vice-President; Bruce Armstrong — President.

*Free Beer!*

*At the Fall Smoker*

*Friday, Sept. 17*

*Twins Motor Lodge*

## P.A.D. Alive And Well At Mitchell

The Pierce Butler Chapter of Phi Alpha Delta Law Fraternity has been active at William Mitchell since 1962. However, recently it has become evident that students are not aware of the functions and opportunities available to them through this organization.

One of the advantages of membership in Phi Alpha Delta is the availability of student loans. Endowment fund resources are available for individual student loans to a maximum amount of one thousand dollars. The interest rate is approximately one per cent per year and repayment may be made after graduation in small monthly installments.

A scholarship program has also been established by the national office. Under this program, grants of five hundred dollars are presented to deserving students. Although scholastic performance is considered in awarding the scholarships, the student's financial need carries an equal weight. Last year the number of available scholarships doubled and expansion of this program is expected to continue.

During the past school year, upperclassmen made themselves available to answer questions put to them by underclassmen. The areas covered included test writing techniques, classes and general advice on how to study law. There was a favorable response to this program and there are plans for repeating it this year.

The members of PAD also intend to continue their monthly luncheons at which local attorneys are invited to speak. Those attending have the opportunity to meet each lawyer and discuss the various types of law practiced.

Further information regarding Phi Alpha Delta can be obtained from its current Chief Justice, Michael DeCourcy, or at the fall smoker sponsored by PAD. All interested students should plan to attend.

## Mill City Police Offer Ride-Along Program

The Minneapolis Community Relations Division is conducting a "Ride-Along" program in which the public has been invited to ride in patrol cars and observe the police at work. The Police Department is particularly encouraging law students, as well as their wives or girl friends, to participate in this program.

The patrol car rides start at 8:00

P.M. and last four hours. The observer may choose any night of the week but there is a two-three week line up to go on a week-end night.

In order to participate in the program, it is necessary to arrange a time and date with the Community Relations Division. Patrolman Charles Wallace is in charge of the program and he can be reached at 330-6870.

### Welcome Frosh Wives

## Law Wives Plan Year

Mrs. Robert Appert

Although the students of William Mitchell College of Law are torn between work, studies and a family they need, the position the wives are placed leaves much to be desired also.

The law wife oftentimes has children to discipline without a father figure, is left alone many nights a week and is forced to assume the roles of electrician, plumber and carpenter. With these things in mind our monthly Wednesday meetings have reached new goals. For the first half of the school year we will be concentrating on a more benevolent, harmonious attitude among the wives.

To honor all incoming freshmen wives the upperclassmen have planned a tea entitled **Wishing to Get to Know You**. There to welcome the new wives and to give an added perspective on the life of a law student will be Dean Douglas Heidenreich and Bruce Armstrong, the President of the Student Bar Association. A skit will also be included in the program for everyone's enjoyment. Mrs. John Nicols is our new president; she will also introduce us to her new Board: Mrs. William Huebsch, vice president; Mrs. Peter Orlins, corresponding secretary; Mrs. Duane Crandall, recording secretary; Mrs. Harlan Klein, treasurer; Mrs. Robert Appert, publicity chairman; Mrs. Burton Riskedahl, social chairman; Mrs. Gary Hagstrom, hospitality chairman; and Mrs. Earl Reiland, decorations chairman.

A great deal of emphasis has been placed on our Freshman

Party. Striving to make all girls comfortable and to instill in them a desire to return to all subsequent meetings is a necessary achievement of our group.

Beginning with the freshman tea and continuing throughout the first half of the school year our meetings will be devoted to social fellowship. At these sessions we will be continually stressing the need for new ideas, new contracts and new opinions.

In addition to all mothly meetings we have what we consider a most promising schedule of activities to be shared by both husband and wife. Midway through the year an informal Christmas dance is being planned by both the Student Bar Association and Law Wives. Then to break up the winter we celebrate Valentine's Day with a formal dance which will be at the Sheraton Motor Inn.

Since the purpose of Law Wives is to be of assistance in every possible way to the student and the law school, much of our effort is directed toward financial aid. The '71-'72 fund raising projects are still in the planning stages. Last year a check of \$1,000 was presented to Dean Heidenreich for the library trust fund.

Assistance is also given by the law wives in arranging and selecting juries for Moot Court cases. The law wives themselves are an important source of jury members in addition to community groups. This is an excellent opportunity for a wife to increase her knowledge of court proceedings and prepare her for her husband's involvement as a senior.

## Where Oh Where Did Our Money Go? Or The . . .

### WILLIAM MITCHELL COLLEGE OF LAW STUDENT BAR ASSOCIATION BOARD OF GOVERNORS 1970-1971 FINANCIAL STATEMENT

Balance as of June 4, 1970 . . . . . \$1187.42

<b>Income</b>	
S.B.A. Dues . . . . .	\$1914.00
Vending Machine Commissions . . . . .	1436.31
Pay Phone Commissions . . . . .	74.48
1970 Senior Class Party . . . . .	190.00
Used Bookstore Account . . . . .	63.00*
<b>TOTAL</b> . . . . .	<b>\$3679.79</b>

\*to offset a previous debit to the S.B.A. account of \$63 to pay the Used Bookstore Manager, which was to have been charged to the Used Bookstore Account.

<b>Expenditures</b>	
Fall Smoker . . . . .	\$ 447.90
Spring Smoker . . . . .	422.57
Orientation . . . . .	41.20
Opinion . . . . .	660.85
Student Directory . . . . .	100.00
Senior Placement . . . . .	325.96
1971 Senior Party . . . . .	162.00
Law Wives, Share of Fall Party . . . . .	119.30
Pay Phone . . . . .	38.54
Mary Jo Conway, Memorial Gift . . . . .	50.00
Misc. S.B.A. Expenses . . . . .	58.75
<b>TOTAL</b> . . . . .	<b>\$2427.07</b>

Balance as of May 31, 1971 . . . . . \$2438.14



# Welcome To The Practice of Law

## Commencement Address

William Mitchell College of Law  
St. Paul, Minnesota, June 7, 1971

By

Edward J. Devitt, Chief Judge  
United States District Court,  
District of Minnesota

I welcome you to membership in the legal profession—we are genuinely happy to have each of you as one of us.

Upon your graduation tonight—and hopefully with the concurrence of the state bar examiners—you enter a profession, which while noble and dedicated, is at the same time often misunderstood by the public.

I am sure that it comes as no surprise to you to learn that some people do not think well of lawyers. We are the butt of jokes and the villain of many plays.

Carl Sandburg, biographer of the great lawyer, Abraham Lincoln, said in "The Lawyers Know Too Much":

"Why is there always a secret singing

When a lawyer cashes in?

Why does a hearse horse always snicker

Hauling a lawyer away?"

Even Clarence Darrow, one of America's most renowned trial lawyers, succinctly summarized this idea when he stated: "The trouble with law is Lawyers."

Webster's new international dictionary gives currency to the thought that there is some kind of devil-like adroitness about us when it defined the word "attorney-ism" as being "the practise or peculiar cleverness of attorneys."

But more seriously, behind the half-humorous back-handed buffs aimed at us, is the well-believed notion by some that we really are untrustworthy. A kindly old lady came to my chambers recently and asked me where she could engage an "honest" lawyer! You would think that they were few and far between instead of the reverse being true—the dishonest one being few and far between.

Recent public opinion polls reflect some unpalatable food for our consumption. A scientific cross section of Americans was asked to rank doctors, dentists, lawyers and people generally as to their honesty. Fifty-five percent rated physicians high; 48 percent rated dentists high; 25 percent rated people generally as being of high honesty; while only 21 percent gave a high rating to the honesty of lawyers.

Why do people think so ill of us, or at least why do they not think well of us?

One astute critic of lawyers in America has observed that the fundamental public relations problem of the legal profession arises from the fact that the American people do not understand the nature of the adversary procedure by which facts are established and judgment reached in civil and criminal matters. It is suggested that there exists a basic misunderstanding in the American mind about the role of an attorney as an advocate. "How," they will ask, "can a lawyer defend a person whom he knows to be guilty of crime or champion an unpopular cause of action?"

Still, our Code of Professional Responsibility requires us to do so. It provides that a lawyer may not be excused from undertaking a representation because of his personal feelings, or because of "the repugnance of the subject matter of the proceeding, the identity or position of a person involved in the case, the belief of the lawyer that the defendant in a criminal

proceeding is guilty, or the belief of the lawyer regarding the merits of the civil case."

Thus we see that one of the very reasons which requires the lawyer's place in society at the same time molds him in an unfavorable light in the public mind. He is, in effect, doing an unpopular job in order to effectuate the basic principles of our form of government, and to give meaning to the Bill of Rights. As new attorneys you too are obliged to perform this vital, although sometimes unpopular, service.

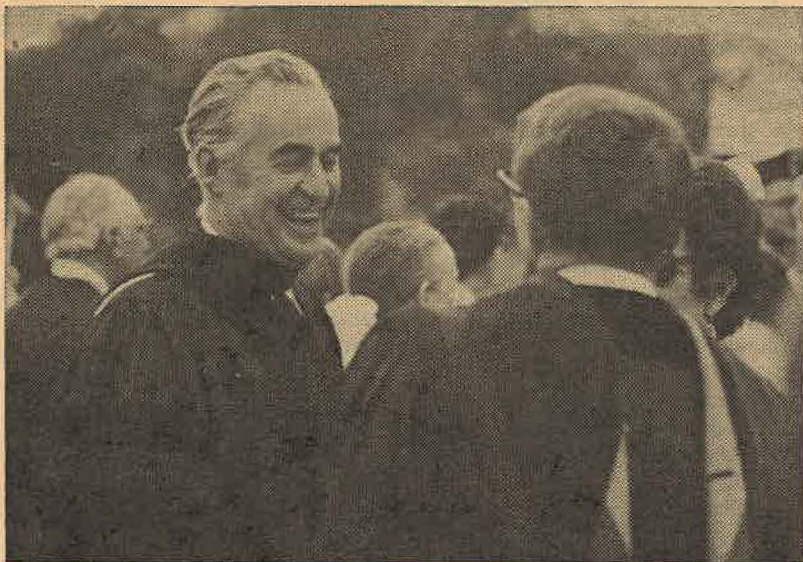
There are other reasons advanced for the lack of public enthusiasm for our profession. It is said that people resent the existence of lawyers as a profession because they do not see why there should be any lawyers at all. It is true, they reason, that we need engineers to build buildings and construct great bridges and dams, and we need doctors to cure our physical illness, but what good are lawyers? Some people feel as King James I expressed himself on a memorable occasion when he summoned the judges before him and said, "Does not everyone know as much about reason and justice as the lawyers?" Some think that when they get in trouble they should be able to go before the judge themselves and argue their case on the basis of right or wrong instead of having lawyers cite cases decided by other judges many times hundreds of years ago. These public attitudes have recently been exemplified by the success enjoyed by Norman Dacey's book, "How to Avoid Probate" and by the growing tendency of more lay in-

least discoverable, within 90 days of the accident. And isn't it ridiculous that three weeks, and sometimes even three months, of valuable court time should be expended in choosing a jury in a criminal case? Permitting accumulation of back logs in the courts business is a disgrace to the profession. We must break away from all out-moded methods and practices. We must establish efficiency in our legal procedures and unquestioned integrity in the Bar. I urge you to join us in doing so.

We shouldn't have to be on the defensive about our profession. We should be on the affirmative. The lawyer serves a very valuable purpose. The true merit of an attorney lies in his capacity to do what inexperienced persons cannot do. He is a trained technician and his knowledge and education, his know-how, are indispensable in a complex society such as ours, with its thousands of laws enacted to advance and support the purposes of a highly civilized society. Much as laymen may dread legal procedure and voice their objection to what they call "the legal jargon of the lawyer," the fact remains that the services of the lawyer are indispensable in modern society. It is not enough that the layman's simple idea of right and wrong will protect him from involvement or defend him in controversy.

We could get along in this country without lawyers if we could get along without courts. We could get along without courts if we could get along without justice. But we can't, and we don't want to.

In their hearts many people un-



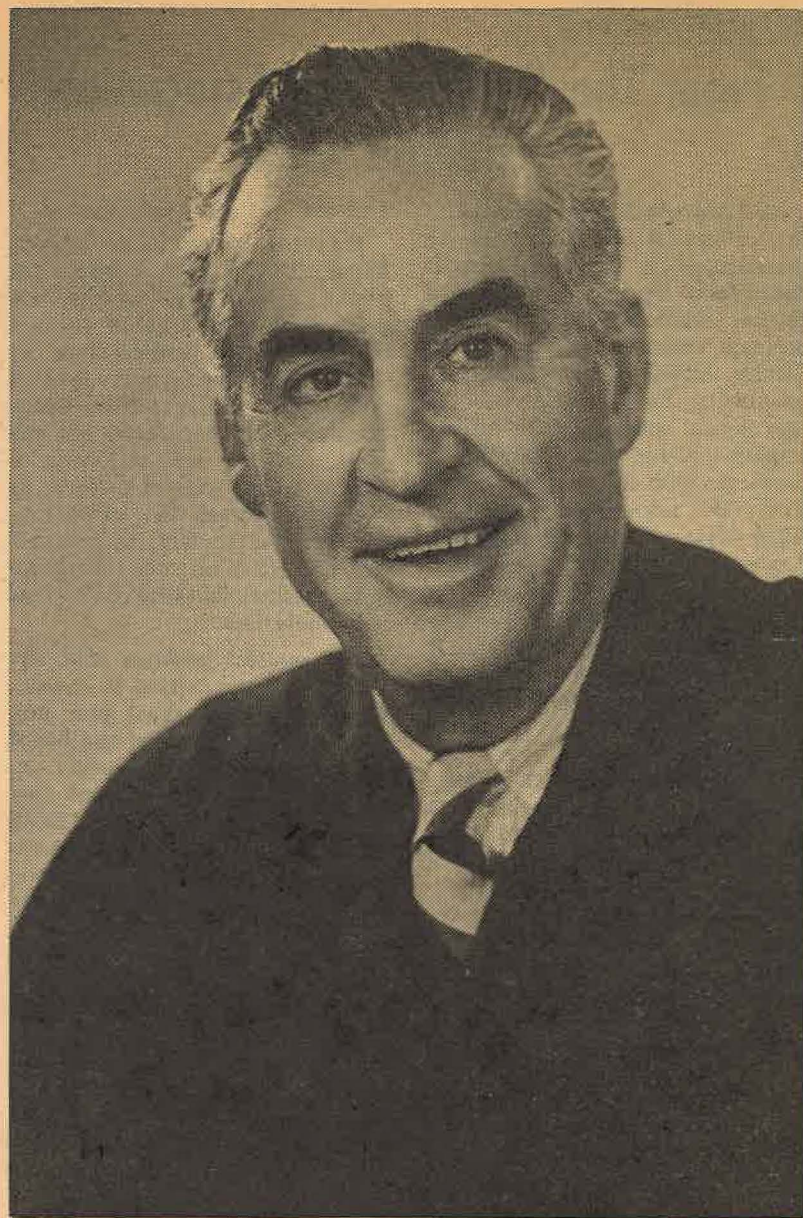
Judge Devitt talked with Prof. Davies after Commencement Ceremony.

dividuals to give legal advice to themselves and to draft their own legal documents. It has been suggested that the increasing popularity of the "no fault" insurance concept may be attributable in part to the public's reasoning that since most of the lawyers are supposed to be against "no fault," it just must be good! Many think that lawyers are concerned with lining their own pockets and nothing else.

Our profession has open notice of the public's dissatisfaction with the administration of justice and it is incumbent upon all lawyers, new and old alike, to be responsive to the legitimate interests and needs of their clients and of the public. Our goal must be to eliminate the confusion and inefficiency which pervades so many areas of the law. By way of example, it is senseless that opposing counsel should spend two or more years disposing of a personal injury lawsuit when all the pertinent facts are normally known, or at

derstand this. But it is up to the legal profession, and you are one of us now, to explain and to justify the function and the responsibility of the American lawyer. In fact, the Code of Professional Responsibility enjoins us to enlighten the public about ourselves so that "every person in our society may have ready access to the independent professional services of a lawyer of integrity and competence." I urge you to join the American and State Bar Associations and to participate with your fellow lawyers in their meritorious programs to improve the administration of justice and to properly portray to the public mind the true function and high character of the American Bar.

While our every effort as lawyers should be directed toward explaining our reason for being and inspiring public confidence in the practise of the profession by rigid adherence to the highest ethical standards, we must be reconciled to the fact that the prac-



JUDGE DEVITT

tise of law is not always the politician's dream of how to make friends and influence people. Our complete dedication to our client's cause, also enjoined upon us by the Code of Professional Responsibility, by its very nature, incurs the antipathy of all of those opposed to the client's interests. So we must be content in the thought that in pursuing our profession with vigor we are not always riding the crest of the wave of popularity. The lawyer is an advocate, a defender. The lawyer is an independent fellow. He has his own ideas and he fights for them, and for his client. These are his traditional roles. They are indispensable to his profession and to the attainment of justice in a representative republic.

In this regard a word of caution is necessary, prompted by recent observations of the Chief Justice of the United States. Lawyers are granted a monopoly to perform certain essential services, and it has long been almost an article of faith to us that monopolies are subject to strict regulation and public accountability for adherence to standards. Today more and more new and vexing problems reach our courts and they require the highest order of thoughtful exploration and careful study. Yet all too often, advocates seem to think the zeal and effectiveness of a lawyer depends on how thoroughly he can disrupt the proceedings or how close he can come to insulting all those he encounters—including opposing counsel and judges. We find adrenalin-fueled lawyers crying out that theirs is a "political trial." This seems to mean—at least to some—that the rules of evidence and codes of professional conduct—the necessity for civility—as Chief Justice Burger calls it—all become irrelevant. That isn't so.

Lawyers who know how to think but have not learned how to behave are a menace and a liability to the administration of justice. When insolence and arrogance are

confused with zealous advocacy, we are in trouble. Former United States Solicitor General, Lee Rankin, once observed that "A lawyer has got to stand for something. The duty of the Bar is to contribute to the discovery of truth. The greatest force of any lawyer," he says, "is the way he lives his profession." Civility is a relevant standard of professional conduct to be observed by new, as well as by experienced attorneys.

The honorable profession of the law is one happily followed by so many of the great public leaders of our government in its long history. I can find no better appraisal of it than that voiced by Alexander Stephens of Georgia, the little Vice President of the Confederacy, when he said:

"No pursuit in life is more honorable and useful than that of the law \* \* \*. None requires more rigidly the stout adherence to the precepts and principles of morality \* \* \*. Not even the office of the holy ministry opens up such a wide field for simply doing good for one's fellow man."

I assume you know that the law is not a gold mine. And he who practises it has slight hope for great material riches. You may be sure that the occasional lawyer who evinces wealth probably inherited his money, pursued some profitable mercantile venture on the side, or married a rich widow. The average compensation of the American lawyer, as compared to the other professions, and as compared to the income of businessmen, is relatively low. His compensation comes not from money, but, as Vice President Stephens says, from helping people—from performing a public service. The basic concept of a profession, particularly of ours, is that of rendering public service. You will come to realize this better upon your first appointment to represent an indigent defendant in the criminal courts. You will vigorously defend

(Continued on Page 5)



## Devitt Talk

(Continued from Page 4)

him, maybe tear your heart out, despite being of the view that he is guilty as charged. From the experience you will come to appreciate the true, if financially unremunerative, character of your profession. The satisfaction you feel from rendering such a public service in making democracy work will be ample reward.

It is the traditional but questionable duty of the commencement speaker to give advice to graduates. I don't want to depart from this tradition. My dedication to the principle of stare decisis is so firm that I feel obligated to give one simple admonition to you. That is: Do not stop being law students.

The study of law is a lifetime job. The ever-changing complexion of society and the accommodating alteration of our statutory and case law is an established fact. Law is never static — we must not be. There is no admiration for the lawyer who "practises by ear," nor for that matter, for the judge who similarly renders his decisions.

I am minded of the indolent law school student who justified his lack of industry by saying, "You learn all of your law after you get out of school anyway," and who after entering the practice said, "Oh, that's something for law students to work on!"

The practising lawyer who tells the judge that he didn't have time to prepare proposed jury instructions in a case of importance or who advises his client "off the cuff" in a consequential matter, does an injustice to his client, gives an insult to the profession, and renders a disservice to himself.

It is said that the law is a "tough taskmaster." It is that. I hope that the wives, and husbands, of the graduates tonight appreciate this. I don't mean to imply that your spouse must be "at the office" every night of the week, but if he is dedicated to his profession you are sure to many times find him mentally far away from you in the realm of the ethereal "Rule in Shelly's Case" or the proper measures of damages for the tortious conduct of a negligent car driver in an intersection accident on a clear day upon dry pavement during the busy rush hour when the semaphore light was on red. If he is thinking about these things when he should be attentive to his family or social obligations, please be understanding of his professional ruminations.

I appreciate that completing your law studies has been a long, hard grind, and a period of great personal sacrifice for most of you and your families. You are to be respected for your persistence and honored for your industry. I am sure you will find it worthwhile.

If, after the concurrence of the bar examiners, you practise law in the Twin Cities, you will be listed in the yellow pages of the telephone book as an Attorney, and if you practise in the rural sections of Minnesota your letterhead will undoubtedly say, as is the custom, "Attorney & Counselor at Law". And when you are admitted to practise in the Federal Courts, and I invite you to be, you will take the oath as a "solicitor, advocate and proctor in admiralty." But regardless of your title, you will have achieved status as a member of a high calling which will furnish you a reasonable income, a challenging and pleasurable occupation, but most important, it will afford you the deep personal satisfaction of rendering a useful life of needful professional service to your fellow man. Congratulations!

# Andrew Johnson Retires

James Taurinskas

A half century is a long time for one individual to devote to the development of the field of legal education. Nevertheless, this is true of Andrew N. Johnson, who recently retired as president of the Board of Trustees of William Mitchell College of Law.

A native of Wisconsin, Mr. Johnson holds the B.A. and LL.B. degrees from Northwestern University and has practiced law in Minneapolis since 1916. He states that his career in the field of legal education dates back 54 years. Mr. Johnson taught law at Northwestern College of Law, the Minneapolis College of Law and the Minneapolis-Minnesota College of Law and acted as Dean of the latter two institutions. As chairman of the merger committee and building committee, Mr. Johnson was instrumental in laying the foundation of the present William Mitchell College of Law. Upon completion of this merger in 1956 he was elected to serve as president of the Board of Trustees of William Mitchell College of Law and continued to do so until last May. At that time Mr. Johnson requested that he not be made a candidate for the succeeding term. He felt that the problems now facing William Mitchell would require a younger individual. As a result, Mr. Johnson stepped out of position as president but will continue to serve as a member of the Board of Trustees. (The individual elected to succeed him is Mr. William A. Abbott, general counsel of Minnesota Mining and Manufacturing.)

Two main events have been held in recognition of Mr. Johnson's retirement. On June 3, 1971, a testimonial dinner was held in his honor at the Leamington Hotel in Minneapolis. And on June 17, 1971, at William Mitchell's commencement exercises the honorary degree of Doctor of Laws was presented to the retiring president.

Andrew Johnson, a vigorous 83, goes to his office daily and makes frequent trips to his northern Minnesota summer home. His office, decorated with shields and plaques, reflect his Scandinavian interests



ANDREW JOHNSON

which have resulted in the attainment of the Order of Knighthood from both Denmark and Sweden.

During a recent interview, Mr. Johnson was asked why he has remained active in the field of legal education for so many years. He replied that there was no single incident accountable for it but rather an endless number of challenges arising from year to year which demanded his time and consideration.

Another question asked of the retired president was his opinion of William Mitchell's present role as an evening law school in comparison to the role of its forerunners. He stated that while there is a role to be performed by William Mitchell College of Law, there is also a very important objective which must be considered. The role of our school and its forerunners has always been to provide a legal education to that group of individuals who, for various reasons, are unable to attend a day law school. Mr. Johnson stated that although the need for the evening law school today is not shared by as many students as it was previously, this need is still prevalent in every entering freshman class. As a result, while this need remains William Mitchell College of Law will continue to function as an evening law school.

The objective, which has existed since evening law schools began in Minnesota is to raise the standard of the evening law school to that of a respected day law school. Mr. Johnson feels that this objective has been reached. He bases his conclusion on the number of applications for admission to William Mitchell College of Law during the past few years. He feels that the numerous applications are indicative of the students' feelings that William Mitchell does offer an education equivalent to that of a respected day law school.

A final question posed to Mr. Johnson concerned changes he would like to see in the future of the field of legal education. His answer was — more schooling. He believes there should be programs designed for specialization after the Juris Doctorate level. He predicts that with the ever-increasing technical problems prevalent in our society there will be a need for more specialized training in the legal profession.

William Mitchell College of Law has advanced considerably during the years of leadership of this individual. It is hoped that Andrew N. Johnson's influences and insights will not end with a change of position but will continue to be felt in years hence.

## The Law Schools' Failure

Larry Schmidt

The legal system as we know it is on the verge of collapse. This rather alarming statement is being sounded from many quarters today. Statistics, such as a recently estimated 80,000 plus backlog of cases in New York City's courts, support the conclusion of an impending breakdown of the legal system in this country. What are the causes of this dire state of affairs? In the opinion of at least one of the more well-known members of the legal profession, "consumer advocate" Ralph Nader, the blame can be laid squarely on the doorsteps of the nation's law schools and law firms. Nader's highly critical remarks appeared in the Oct. 11, 1969 issue of *The New Republic*.

A major shortcoming, at least prior to the "Kennedy era," has been the law school's curriculum. According to Nader, those courses which dealt with tax, corporate, securities and property law received the lion's share of attention, while those which spoke of torts, criminal law and legal aid for the poor, among others, were given but cursory treatment. "Rare was the law graduate who had the faintest

knowledge of the institutionalized illegality of the cities in such areas as building and health code violations, the endemic bribing of officials, the illegalities in the marketplace, from moneylending to food. Fewer still were the graduates who knew anything of the institutions that should have been bathed in legal insight and compassion — hospitals, schools, probate and other courts, juvenile and mental institutions and prisons. Racism, the gap between rich and poor, the seething slums — these conditions were brought to the attention of law firms by the illumination of city riots rather than the illumination of concerned intellects."

"Possibly the greatest failure of the law schools — a failure of the faculty — was not to articulate a theory and practice of a just deployment of legal manpower." Nader again criticizes law schools, this time for encouraging students toward the large law firms whose practice consisted chiefly of representing the polluters, the retailers, the corporations, rather than the anti-polluters, the consumers and the citizens.

But then came the Kennedy era, the Peace Corps, and later,

the Neighborhood Legal Services, funded by OEO, and VISTA. Student activism had finally come to the law schools. Harvard and Yale were convinced of the needs for admission, curriculum and grading reforms; courses in environmental, consumer and poverty law began to appear; even the law firms were beginning to allow younger associates to use a portion of their time for "pro bono" work in an effort to attract the top graduates, who had been turning in other directions in ever-increasing numbers. "The relative disfavor into which the major law firms have fallen [is] attributable, at least in part, to the feeling among recent law school graduates that these firms have failed to respond to the larger problems of contemporary society."

"Whatever the outcome, the big firms will never be the same again." And maybe it is just as well. Whether these changes will come in time to save America's legal system from complete collapse is a vital question for all law students and faculty. "The law, suffering recurrent and deepening breakdowns, paralysis and obsolescence, should no longer tolerate a retainer astigmatism which allocates brilliant minds to trivial or harmful interest."

## Students Receive Academic Honors

The following seniors graduated cum laude at the June commencement: **Mary Ann Brokaw, Alan G. Carlson, Dean P. Edmundson, George H. Frisch, David E. Kohner and Daniel L. Wieneke.**

The Lawyers Co-operative Publishing Company awarded lawbooks to the following students who received the highest grade in selected courses last year: **Michael McGlennen and James T. Elfstrom — Administrative Law; Mrs. Marcy L. Wallace — Agency and Partnership and Contracts; Raymond E. French — Torts; Mrs. Parrel A. Caplan and Michael O. Shamblyn — Property I; Lance Nyberg — Creditors Rights; Frederick E. Finch — Commercial Transactions, Corporations, Equity and Constitutional Law; Dale B. Lindman — Family Law; Thomas Miller — Criminal Law; Leon L. Oistad — Estate Planning; Frank E. Villalume III — Trusts and Estates; Kent E. Todd — Equity; Charles A. Bassford, William M. Brandt and Martin J. Steward — Evidence; Dennis E. Prohovsky — Civil Procedure; Paul W. Steil — Labor Law; Thomas D. Christenson — Property II.**

The following students were each awarded a volume of *Corpus Juris Secundum* for the most significant contribution to overall scholarship in their respective classes: Freshman — **Robert Varco; Sophomore — David Fairbairn; Junior — Michael Schwegman; Senior — Alan Zlimen.**

Each of the following students received a hornbook of their choice for achieving the highest scholastic average in their class: Freshman — **Marcy Wallace; Sophomore — Fred Finch; Junior — Paul Pond; Senior — Lance Nyberg.**

## Identification Procedure Stinks

Norm Brody

Benny the Bandit, masked and brandishing a gun, entered the corner tavern and announced a hold-up. Even without the gun, the patrons knew they were in trouble. Benny's breath reeked of garlic which made him a natural for any mouthwash commercial and would hold even the bravest man at bay.

Benny was picked up a week later and accused of the robbery. The holdup victims were uncertain that Benny was the masked bandit until he opened his mouth to profess his innocence. At that instant, the witnesses were hit by a garlic barrage equal only to that of the holdup man. Benny then admitted that he loved to eat spaghetti doused in garlic sauce and that he ate it regularly. That fact took the uncertainty out of the identification problem.

"Yep," they agreed, "he not only looks like him, he smells like him too."

"Are you putting me on," protested Benny. "You can't identify an accused person by his bad breath. So I like to eat garlic sauce, lots of people do. There's no crime in that."

The judge ruled that if the identification had been based on breath alone, it would have been invalid. However, in Benny's case, he had been tentatively identified and only a lingering doubt remained in the victims. This doubt was extinguished by Benny's distinctive breath much as an identifying scar might be in another case.

Based on a 1968 New Jersey case.



# Alumni News

## Grads On The Move

**Kenneth C. Weyl, 1939**, formerly of Duluth, has become a partner in a Phoenix, Arizona law firm now known as Burch, Cracchiolo, Levie, Guyer & Weyl as of April 1971.

**Esther L. Osen, Minneapolis College of Law, 1943**, passed away December 4, 1970. From the time of her admission to the bar until her death, she worked for the Department of Taxation of the State of Minnesota, and became a recognized expert in the field of inheritance tax law.

**Irving V. Bruns, St. Paul College of Law, 1945**, and Dennis A. Bowman have formed a partnership for the practice of law under the name of Bowman and Bruns. Their offices have been located in the Pioneer Building in St. Paul since January 1971. Mr. Bruns worked for the Internal Revenue Service from 1945 to 1970 as Agent, Conference and Supervisor in the Appellate Division. He also taught at the St. Paul College of Law from 1945 to 1957.

**Donald R. Grangaard, Minneapolis College of Law, 1948**, President and Director of the First Bank System, and a Director of the First National Banks of Minneapolis and St. Paul, was named to the Board of Trustees of the Fairview Hospital Association on January 26, 1971. The Association operates Fairview and Fairview-Southdale Hospitals, and ranks among the 25 largest hospital systems in the nation. Mr. Grangaard is also a director of the Minneapolis Foundation and of the Minneapolis Downtown YMCA, and is a member of the Board of Trustees of William Mitchell College of Law.

**Hon. James Lynch, St. Paul College of Law, 1949**, was named District Judge for Ramsey County on March 24, 1971. Prior to his elevation to the district bench, Judge Lynch had served as St. Paul Municipal Court Judge for seven years. He replaced the late Judge Robert V. Rensch, 1926.

**Scott R. Prescott, St. Paul College of Law, 1956**, passed away September 30, 1970. He was survived by his wife Suzanne, three children, and his brother Jack, with whom he practiced law in St. Paul before moving the practice to New Brighton.

**Hon. Joseph W. Hughes**, who attended William Mitchell from 1955 to 1958, was installed as County Judge for St. Croix County, Wisconsin, at the courthouse in Hudson on January 4, 1971.

**Robert O. Vidas, 1958**, became a partner in the law firm of Schroeder, Siegfried and Ryan in February 1971. The firm name has been changed to Schroeder, Siegfried, Ryan and Vidas. The Minneapolis firm specialized in patent and trademark law.

**Willis M. Forman, 1959**, has been named President and Chief Executive Officer of Paper, Calmenson & Co., a Roseville-based steel distributor, manufacturer and fabricator. Mr. Forman had been serving as Vice-President and Director. The company has other plants in Duluth, Superior and LaCrosse, and maintains offices in Iowa, North Dakota and Montana.

**Robert L. Findorff, magna cum laude 1962**, was promoted to the new position of Vice President, Manufacturing, of the Donaldson Co., Inc. The company manufactures heavy duty engine air cleaners, filters, seals, valves and mufflers in seven U.S. plants and operates in 10 foreign countries. Mr. Findorff joined the Donaldson Company in 1955, and previously served as Personnel Manager, Director of Purchasing, and Manager of factories in Cresco, Iowa and St. Paul.

**E. Peter Gillette, 1963**, is one of eight Minnesotans awarded a 1971 Bush Leadership Fellowship by the Bush Foundation. Mr. Gillette was awarded a \$4000 fellowship to attend a four-month program at the Harvard Business School. He is a Vice President of the Northwestern National Bank of Minneapolis and a member of the Metropolitan Council.

**Martin J. Joyce, 1963**, has become Vice-President and General Counsel of the Pacific Standard Insurance Co. of Burlingame, California. He was formerly associated with The North Central Insurance Company of St. Paul and previously was a member of the law firm of Sanborn, Jackson & Rice.

**Paul A. Welter, 1964**, has joined the firm of Merchant and Gould as one of three new partners. The

firm specializes in patent, trademark and copyright law, and has offices in both Minneapolis and St. Paul.

**Jack A. Mitchell, 1967**, has joined Robert F. Collins, 1965, Paul A. Thuet, Jr. and John J. Todd in forming a partnership known as Thuet, Todd, Collins and Mitchell. Thuet, Todd and Collins were formerly partners of Wendell R. Anderson. That partnership was dissolved upon Anderson's election to the governorship of Minnesota. The firm's offices are in South St. Paul.

**John T. Finley, 1969**, is now associated with D. D. Wozniak in the practice of law under the firm name of Wozniak and Finley, with offices in St. Paul. Mr. Finley was also a candidate for County Commissioner in the 1970 elections.

**Gerald Lyndon McManus, 1969**, has opened an office for the general practice of law in Wabasha, Minnesota.

**Dwight D. Chinock, 1970**, is now associated with the firm of Happe, Happe, Hall & Eppard, Ltd. in the practice of law in Burnsville. Dale J. Happe and Gene F. Happe are 1969 graduates of Mitchell.

**Bruce J. Cripe, 1970**, is now engaged in the general practice of law in Brooklyn Center with the firm of Nyquist, Tuzinski, Jones and Cripe.

**William A. Crandall, 1970**, is now associated with the Minneapolis firm of Fitzgerald, Fitzgerald & Stinch in the general practice of law.

**Steven B. Szarke, 1970**, was elected to the Minnesota State House of Representatives from District 13B, which includes Waverly, Hubert Humphrey's hometown, defeating a Humphrey-backed candidate by 299 votes. At 26, he is believed to be the youngest member of the Legislature. Prior to his election, he had worked for three years on the staffs of the House and Senate Education committees, becoming familiar with the people and customs of the Legislature, which he expected to give him an advantage over other freshmen legislators.

**Byron L. Zotaley, 1970**, is associated with the firm of LeVander, Zimpfer & Tierney in the general practice of law in Minneapolis.

### Jean McVeety N.A.W.L. President

Jean J. McVeety, a 1931 graduate of the Minneapolis College of Law, one of William Mitchell's predecessor institutions, was installed as President of the National Association of Women Lawyers in ceremonies at Innholders Hall, London, during the recent A.B.A. convention. Miss McVeety has been practicing law in Minneapolis continually during the forty years since her graduation from law school.

Miss McVeety expressed surprise to find a smaller percentage of women lawyers in Britain than in the United States, and attributed it to the fact that women have been admitted to the bar in Britain only since 1919, while the first American woman was admitted to the bar in Iowa in 1869.

Miss McVeety now heads a group representing about 1200 members, and noted that at least 100 women practice law in Minnesota. The association, under her leadership, will continue to encourage more women to enter the legal profession.

## Memorials

**Hon. Arthur A. Stewart, St. Paul College of Law, 1908**, passed away June 22, 1970. Although he passed the bar examination before his 21st birthday, he was not admitted to the bar before his 21st birthday. He served in many capacities, including teaching at the St. Paul College of Law and William Mitchell from 1910 to 1960. He was a member of the Board of Trustees of both schools until his retirement in 1967. William Mitchell College of Law conferred an honorary LL.D. in 1969, and its outstanding alumnus award in 1970. After a temporary assignment as District Judge in 1946 and service on the Municipal Court, he was appointed District Judge in 1949 and served until reaching the mandatory age of retirement in 1961. During his retirement, at the request of Chief Justice Knutson, he continued to serve in Ramsey County and other districts throughout the state until the Spring of 1970. He was survived by his wife Hermione, a son and daughter, six grandchildren and a sister.

**Leland W. Scott, St. Paul College of Law, 1917**, passed away July 6, 1970. He served as personal secretary to Governors J. A. A. Burnquist and J. A. O. Preus from 1916 to 1921, as Assistant U.S. Attorney for the District of Minnesota from 1921 to 1927, and in the office of the General Counsel for the Bureau of Internal Revenue until entering private practice in 1928. He was widely known as a tax expert, and handled a number of cases which reached the U.S. Supreme Court and legal textbooks. He was survived by his wife Winifred, a son and a grandchild.

**Peter E. Kamuchey, St. Paul College of Law, 1921**, passed away March 1, 1971. Mr. Kamuchey was born in Greece and immigrated in 1907. He served in the U.S. Army during World War I, and was admitted to the bar following his graduation in 1921. He maintained his law office in St. Paul until 1946, when he moved his practice to Minneapolis. President Roosevelt named him to head U.N.R.A. operations in Greece during World War II. He was survived by his wife Lucile, a son, a brother in Milwaukee, and two brothers and two sisters in Greece. He was also the godfather of Byron Zotaley, Mitchell, 1970. A number of gifts have been received by the college in his memory.

**Harry A. Miller, Minnesota College of Law, 1924**, passed away June 10, 1970. In 1943 he began working for the American Hardware Mutual Insurance Company of Minneapolis, where he was Senior Claims Counsel and Vice President at the time of his retirement in 1963. He was survived by his wife Verna, a son and two daughters.

**George W. Norby, St. Paul College of Law, 1924**, passed away September 14, 1970. He had been a member of Barnesville's 1918 state tournament basketball team. After graduating cum laude and passing the bar examination, he passed up law practice to enter business with his father, a pioneer Barnesville merchant. The business prospered, and in 1938 he moved to Grand Forks to manage a store there and to head the firm's chain of stores. He had been active in

local church, charitable, fraternal and civic groups. He was survived by his wife, two sons, a sister, and four grandchildren.

**Charles L. St. Denis, Minnesota College of Law, 1925**, passed away January 8, 1971. During his colorful career, he served as the Chief Librarian of the United States Lines, crossing the Atlantic 90 times and sailing around the world at least once, operated a Catholic Seaman's Home in Singapore, served on the Minneapolis Library Board, had a radio show on WCCO, was a champion gymnast, and served as General Counsel and Secretary-Treasurer of the Minnesota Rural Rehabilitation Association. He was instrumental in helping 200 Minnesota farm families relocate in Alaska during the Depression. He was survived by his mother.

**Hon. Robert V. Rensch, St. Paul College of Law, 1926**, passed away March 13, 1971. After a brief law practice, he became successively Assistant U.S. District Attorney for the District of Minnesota, Judge of the St. Paul Municipal Court, and District Judge. During his 28 years as District Judge, he won acclaim for such innovations as his "settlement calendar" which disposed of cases long on the calendar in a conciliatory atmosphere. During one three-month period, he brought over 500 controversies to a conclusion in this fashion. Among his many activities was the study of native mushrooms, in which he became an expert. He served in many public capacities, and was a member, at the time of his death, of the A.B.A.'s Advisory Committee on the "Judges' Committee" dealing with the problem of courtroom disturbances. The Hon. Warren Burger and the Hon. Harry Blackmun have also been members of this committee.

**Roy E. Rendahl, Minnesota College of Law, 1927**, passed away June 15, 1970. He was engaged in private practice in Minneapolis, where he was the senior partner in the firm of Rendahl, Broberger and Peterson, for 40 years, until just before his death. He was survived by his wife Mildred, two brothers and three sisters.

**Victor J. Holper, St. Paul College of Law, 1928**, passed away November 4, 1970. He began to work for West Publishing Company in 1926, as an Assistant Librarian. Upon admission to the bar, he became a member of the editorial staff. He was appointed Vice-President and Editor-in-Chief in 1959. He was survived by his wife Marion, two sons and a daughter.

**Arthur Olsen, St. Paul College of Law, 1930**, passed away June 29, 1970 after a long illness. After serving with the Minnesota Attorney General's office and with a firm representing the Brotherhood of Railroad Trainmen, he had been in private practice in Owatonna since 1938. He was survived by his wife Stella, his mother, a brother, two nieces and two nephews.

**Carroll G. Patton, Minnesota College of Law, 1930**, passed away October 1, 1970. With his father, Ruford G. Patton, who passed away December 27, 1970, he co-authored *Patton on Titles*, the nationally-recognized standard work on land titles, and numerous other works. He served as Examiner of Titles for Hennepin County and as Torrens Referee for the District Court of Hennepin County until his retirement in 1957. He was an ardent advocate of the Torrens system of title registration, the present extent of its use in this country is to a large degree the result of his efforts.

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